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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 UNITED STATES OF AMERICA,  
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11 Plaintiff,

12 v.

13 RAUL CASAREZ,  
14

15 Defendant.

Case No. 2:17-cr-00113-KJD-GWF

**ORDER**

16 Before the Court for consideration are the Report and Recommendations (##45, 46) of  
17 Magistrate Judge George Foley, recommending that Defendant's Motions to Dismiss Indictment  
18 (##26, 27) be denied. Defendant timely filed objections to the Magistrate Judge's Report and  
19 Recommendations (##54, 55) pursuant to Local Rule IB 3-2. The Government filed responses to  
20 Defendant's objections (##56, 57).

21 The Court has conducted a de novo review of the record in this case in accordance with 28  
22 U.S.C. § 636(b)(1) and LR IB 3-2. Specifically, it reviewed the transcript of the June 14, 2017  
23 hearing regarding Defendant's Motions to Dismiss Indictment (#53), and considered Defendant's  
24 arguments requesting an evidentiary hearing. The Court finds an evidentiary hearing unnecessary,  
25 and that it can make its determination on the record alone. The Court determines the Report and  
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1 Recommendations (##45, 46) of the United States Magistrate Judge entered June 26, 2017, and June  
2 28, 2017, should be **ADOPTED** and **AFFIRMED**.

3 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendations  
4 (##45, 46) entered June 26, 2017, and June 28, 2017, are **ADOPTED** and **AFFIRMED**, and  
5 Defendant's Motions to Dismiss Indictment (##26, 27) are **DENIED**.

6 DATED this 8th day of January 2018.

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9 Kent J. Dawson  
United States District Judge

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